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1.0 INTRODUCTION

1.1 Introduction

The proposed Moffett Park Specific Plan is a regulatory document providing development standards for development and redevelopment of the Moffett Park area. It establishes a comprehensive development policy and provides regulatory guidance for the buildout of the Moffett Park area. The proposed Specific Plan is a community-based plan, developed with extensive input by policy makers, business and property owners and local residents. All policy and regulatory elements of the Specific Plan are reflective of public consultation with business and property owners, developers, appointed and elected officials and the general public.



The Moffett Park industrial area has experienced tremendous rates of redevelopment due to increased regional demands for Class A office uses, corporate headquarters facilities and other specialized space required by the high-tech industry. The effects of this redevelopment have created additional demands on infrastructure systems in the Moffett Park area, including transportation facilities, domestic water and wastewater conveyance. The Moffett Park Specific Plan seeks to provide a policy and regulatory remedy to these impacts through extensive analysis of land use alternatives, regulatory mechanisms, environmental impacts, and their associated mitigations.

The Moffett Park Specific Plan incorporates data from extensive concurrent studies, including the Citywide Transportation Strategic Program, Domestic Water Master Plan, Sewer System Master Plan, and Phase II Reclaimed Water Master Plan. As part of the technical analysis for this project, the development assumptions for the Moffett Park Specific Plan have contributed to the development of anticipated future improvements within the Project Area and Citywide.

As a public improvement plan, this Specific Plan anticipates the potential impacts of new development by identifying the full range of infrastructure improvements that would be necessary to meet long-term infrastructure needs. Additionally, the identification of infrastructure improvement financing options will be an integral part of the Specific Plan document.

As noted above, the Moffett Park Specific Plan (also referred to as “the Specific Plan”) or the “Project” is proposed to provide comprehensive land use planning and zoning for the proposed Specific Plan area. Section 65450 et. Seq. of the California Government Code (Planning and Zoning Law) allows and regulates the establishment of Specific Plans. Pursuant to Section 65450, the Moffett Park Specific Plan will provide the City of Sunnyvale with an effective tool for the implementation of the General Plan policies and priorities. The goal of the Moffett Park Specific Plan is to guide the development, building intensity and enhancement of parcels within the Plan area by incorporating the City’s existing design guidelines, identifying zoning and development standards to replace the existing zoning regulations for the project area, and identifying the infrastructure improvements that would be required to accommodate build-out of the Specific Plan area through the year 2020. The Specific Plan will permit the development of a complimentary mix of land uses, including corporate office, manufacturing, warehouse, small-scale retail, hotel, restaurant, and other ancillary support uses. The proposed Specific Plan would allow for an

increase in development intensities by increasing the base and maximum Floor Area Ratio (FARs) of the zoning districts in the Moffett Park Specific Plan area.

This Environmental Impact Report (EIR) (State Clearinghouse Number 2001052121) has been prepared to evaluate the potential environmental impacts associated with implementation of the Moffett Park Specific Plan in accordance with the rules and regulations set forth in the Moffett Park Specific Plan. The purpose of the EIR is to inform public agency decision makers and the general public about the proposed project and any potentially significant adverse environmental impacts that may be associated with the planning and subsequent implementation of the Specific Plan, and to identify appropriate feasible mitigation measures and alternatives that may be adopted to reduce or eliminate impacts. For the purposes of analysis in this EIR, the applicant for adoption of the Specific Plan is the City of Sunnyvale. Throughout the EIR, there is reference to “property owner/developer”; this refers to potential future developers within the project area, not the City of Sunnyvale.

This Programmatic EIR will serve as the primary environmental document for the proposed Moffett Park Specific Plan and all future development that is undertaken in the area pursuant thereto. The EIR is anticipated to be the definitive environmental document for project implementation within the Specific Plan area, including serving as a Project EIR for purposes of infrastructure improvements. Developments that require discretionary review (i.e., projects subject to the approval of a Special Development Permit) will be examined in light of this EIR to determine what additional environmental documentation must be prepared. Developments that do not require additional discretionary review will not be subject to any additional environmental documentation. However, the property owner/developer will be required to submit documentation substantiating that said development is allowed and in conformance with the Specific Plan, and that their environmental effects are within the parameters and timeframe (year 2020) analyzed within this EIR.

As mentioned above, each future, as yet unknown, development project proposed within the Specific Plan area may be required to prepare its own environmental documentation. However, subsequent site-specific projects may use the “tiering” concept, as provided by § 15385 of the State CEQA Guidelines. The tiering concept is a process by which the City of Sunnyvale, as lead agency, can adopt this programmatic EIR focusing on the “big picture,” and can then use streamlined CEQA review for individual future development projects in the Moffett Park Specific Plan area. This streamlined CEQA review may be used for each site-specific future development so long as the project is consistent with the decisions of this EIR, the mitigation measures described in the EIR, and the City’s General Plan and Zoning Ordinance. This tiering concept allows the City to address the broad environmental issues detailed in this EIR during the planning stages of the proposed Specific Plan; future site-specific development projects are evaluated on a project-specific basis, and may be excused from repeating the broad environmental analysis examined in this comprehensive, programmatic EIR for the entire proposed Moffett Park Specific Plan area.

1.1 Purpose and Scope of the EIR

As provided for in the State CEQA Guidelines, §§ 15063 and 15126, the focus of this EIR is limited to specific issues and concerns identified by the City as causing potentially significant effects on the environment. An Initial Study was prepared to identify the significant and potentially significant impacts of the proposed project in May 2001 (Appendix A). A Notice of Preparation (NOP) for this EIR was also prepared, listing the issues that were identified as significant or potentially significant, and which would require additional analysis in the EIR. A copy of the NOP and responses thereto, is included in Appendix

A. The purpose of the NOP is to solicit comments from public agencies and interested parties on issues germane to them that should be considered in the EIR. The NOP included a project description, project location, and the following list of issues proposed to be addressed in the EIR: aesthetics, air quality, land use and planning, biological resources, earth resources (geology and soils), hydrology and water quality/drainage, noise, public services and utilities, cultural resources, hazards and hazardous materials, transportation and traffic, growth-inducing impacts and cumulative impacts. The Initial Study in Appendix A discusses each of the topics normally considered in an EIR and describes why specific issues, germane to the proposed project, would or would not be significant.

1.2 Effects Found to Be Not Significant

Through the Initial Study and public scoping process, the City of Sunnyvale determined that there was no substantial evidence that the proposed Project would cause or otherwise result in significant environmental effects in the resource areas discussed below. As indicated in the State CEQA Guidelines, no further environmental review of these issues is necessary for the reasons summarized in the following discussion. The substantiation for determining that these issues would result in no impact or a less-than-significant impact is described in further detail in Appendix A, "NOP and Initial Study," pursuant to §15128 of the State CEQA Guidelines.

AGRICULTURE

The proposed Specific Plan area is located and contained within a developed, urban location. The area does not include agricultural uses. No agricultural impacts would occur as a result of implementation of the proposed project. The Specific Plan area does not include any agricultural land area or uses, therefore Williamson Act contracts do not exist for any of the parcels. Changes to the existing environment would be limited to the subject parcels and street improvements identified in the proposed Specific Plan. The proposed project would not result in any re-designation or rezoning of farmland or land that is currently in agricultural use.

MINERAL RESOURCES

The proposed Specific Plan area is located on, and adjacent to a former military installation. No known mineral resources exist in this urban, developed area. The General Plan does not delineate a mineral resource recovery site within the project site. No impacts would occur as a result of the proposed Specific Plan implementation.

RECREATION

As noted in the response to Checklist Item 13 (Appendix A), the implementation of the proposed project would not likely result in an increase in the residential/permanent population of the City, thus corresponding to an increase in the use of park facilities by City residents. Those who are employed, but not living in the City may also use City recreational facilities, albeit at a lower rate than is anticipated with the City's residential/permanent population. Large corporate headquarters development in the Specific Plan area would be required to provide outdoor recreational facilities for their employees.



The City of Sunnyvale has ample open space and parkland, including the adjacent San Francisco Bay Trail area and nearby City park. Further, potential residential development by future project applicants for individual project sites under a “commercial/ residential” alternative would be required to pay development fees for park and recreation facilities. These fees help to maintain and improve existing park and recreation facilities, to purchase parkland, and to fund the construction of new park and recreation facilities. Therefore, the project would result in less than significant impacts related to parks and recreation.

The proposed project involves the implementation of the proposed Specific Plan for the Moffett Park area, and requires on-site developer-provided recreational facilities for the highest intensity development projects. Therefore, no impact would occur as a result of the project.

1.3 Terminology Used in the EIR

The EIR uses the following terminology to denote the significance of environmental impacts of the proposed CEQA Project:

- ❖ An “*environmental impact*” is a direct or indirect effect that would be caused by the project that constitutes a physical change to the existing natural or man-made conditions within the area affected by the project.
- ❖ A “*less than significant*” impact or an impact that is “not significant” would cause no substantial adverse change in the environment. As such, no mitigation is required.
- ❖ A “*potentially significant*” or “*significant*” impact could or would cause a substantial adverse change in the environment. In this case, an impact has been identified which, although potentially significant, can be reduced or avoided to less than significant levels through various means of mitigation. Such mitigation may include project design features that have been incorporated into the project to reduce or avoid the potentially significant impact. They can also include existing requirements, such as City Codes and Ordinances, engineering and design requirements (such as the Uniform Building Code) and standard regulations set by regional, state and federal agencies.
- ❖ A “*significant and unavoidable*” impact is one that could or would cause a substantial adverse change in the environment and cannot be avoided if the project is implemented; mitigation may be recommended, but it cannot feasibly reduce the impact to a less-than-significant level.
- ❖ An “*environmental equivalent*” means a procedure or measure, subject to the approval of the City of Sunnyvale, which will accomplish the same result and will have the same or less effect on the environment.

The EIR also identifies mitigation measures, defined in the State CEQA Guidelines § 15370 as:

- ❖ avoiding the impact altogether by not taking a certain action or parts of an action;
- ❖ minimizing impacts by limiting the degree or magnitude of the action and its implementation;
- ❖ rectifying the impact by repairing, rehabilitating, or restoring the affected environment;

- ❖ reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; and,
- ❖ compensating for the impact by replacing or providing substitute resources or environments.

1.4 Other Agencies That May Use the EIR

This EIR is intended to be used by responsible and trustee agencies (as defined by §§ 15381 and 15386 of the State CEQA Guidelines) that may have review or discretionary authority over the proposed CEQA Project, or some component of the project. Agencies in addition to the Lead Agency which also may use this Draft EIR in their review of the Project or which may have responsibility over approval of certain Project elements may include, but are not limited to the following:

- State Department of Health, Toxic Substances Control Division (DTSC)
- California Department of Transportation (Caltrans)
- California Regional Water Quality Control Board (RWQCB)
- Bay Area Air Quality Management District (BAAQMD)
- U.S. Army Corp of Engineers (ACOE)
- Pacific Gas and Electric Company (PG&E)
- California Department of Fish and Game (CDFG)
- State of California Office of Planning and Research (OPR)
- Santa Clara Valley Water District (SCVWD)

Other agencies, organizations and/or special interest groups not formally identified as a responsible agency, but otherwise anticipated to be participants in the local review process for this Project include:

- State of California Office of Planning and Research (OPR)
- California Environmental Protection Agency (Cal EPA)
- State of California State Lands Commission
- Association of Bay Area Governments (ABAG)
- U.S. Fish and Wildlife Service (USFWS)
- State Historic Preservation Office (SHPO)

1.5 Public Review Process

Pursuant to the State CEQA Guidelines, the City of Sunnyvale determined that the proposed Project may result in significant adverse environmental effects and therefore requires an EIR. In accordance with CEQA, a good faith effort has been made during the preparation of this EIR to contact affected agencies, organizations and persons who may have an interest in this project. This included the circulation of a Notice of Preparation (NOP) in compliance with the State CEQA Guidelines § 15082 on May 23, 2001. Responsible agencies had 30 days to transmit their concerns and comments on the scope and content of the EIR to the City, focusing on specific information related to their own statutory responsibility. The City received a number of NOP comment letters following the close of the public review period. These letters were reviewed by City Staff and area included in Appendix A as well. The public similarly had the opportunity to review the NOP and provide their comments. This Draft EIR has been prepared to address the environmental concerns identified in the NOP, along with those raised during the review process.

The NOP and comments received from public agencies and interested parties on the NOP are contained in Appendix A.

During the NOP review period, the City conducted a public scoping meeting on June 1, 2001 to discuss the characteristics of the proposed project, the status of the project proposal, and the nature of the environmental effects and scope of the analysis included in the EIR. In addition to City staff and consultants, members of the public, representatives of local business, and representatives from responsible agencies attended the meetings. Additionally, public notices of the availability of the NOP/Initial Study and related scoping meeting were published in the newspaper and mailed to nearby property owners. The scoping meeting also provided an opportunity for public input regarding the environmental concerns that should be addressed in the EIR.

The public scoping meeting included a formal presentation describing the environmental review process and the proposed Project. This presentation included the use of detailed exhibits. Alternatives to the Project, and potential environmental issues of concern were also discussed. The meeting was then opened for public/agency comments. Issues of concern raised during the scoping meetings included aesthetics, acquisitions, air quality, noise, cumulative impacts, geology and soils, hydrology and water quality, land use, noise, property values, public services, and traffic and circulation. Section 2, *Project Description*, provides the location, dates, times, and a detailed description of the issues raised at the scoping meeting as well as the public workshops held during the preparation of the proposed Specific Plan.

Additionally, pursuant to the State CEQA Guidelines §§ 15082 and 15083, the City of Sunnyvale invited all regulatory agencies concerned with the environmental effects of the project to participate in early consultation meetings with the City. Representatives from various agencies including the Santa Clara Valley Water District, County of Santa Clara Roads and Airports Department, Pacific Gas & Electric Company (PG&E), the Department of Toxic Substances Control (DTSC), California Department of Fish and Game, California Department of Transportation (Caltrans), and the California Regional Water Quality Control Board (RWQCB) have communicated via telephone or in writing, attended the public scoping meeting noted above, or attended independently scheduled meetings with City staff and their representatives thereof. Comments received from these agencies have been addressed in this EIR.

Upon the completion of this Draft EIR, this document will be distributed to Responsible Agencies, other affected agencies, and interested parties. The Notice of Availability of the Draft EIR will be distributed as required by CEQA, including publication in the local newspaper. The Notice of Availability commences a 45-day public review period. During the 45-day public review period, the Draft EIR, including appendices, is available for review at the City of Sunnyvale's Community Development Department, (City Hall, 456 W. Olive Ave. Sunnyvale, CA 94086) and the Sunnyvale Public Library, (665 W. Olive Ave, Sunnyvale, CA 94086) as well as the Santa Clara County Library, located at 1095 N. 7th Street, San Jose CA 95112.